

CM No. 16603-CWP-2022 in/and
CWP No. 24059 of 2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(122) CM No. 16603-CWP-2022 in/and
CWP No. 24059 of 2022
Date of Decision : 18.10.2022

Gurbachan Singh

....Petitioner

Versus

The State of Haryana and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. P.L. Verma, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

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Application is allowed, as prayed for.

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Learned counsel for the petitioner argues that in the present petition, though the petitioner has already retired on attaining the age of superannuation on 30.04.2021 but his leave encashment has not been released so far by the respondents and that too without any valid justification. Further grievance of the petitioner is that he was issued a charge-sheet in September, 2017 in pursuance to which, petitioner was imposed punishment, which punishment was challenged in appeal by the petitioner and the appeal is still pending consideration by the respondents and respondents be directed to decide the said appeal dated 06.06.2019 by

passing an appropriate speaking order.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 29.12.2021 (Annexure P-3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 29.12.2021 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No. 2 is directed to decide the legal notice dated 29.12.2021 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

October 18, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*

Whether reportable? *No*